

Senate Study Bill 3013

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON McKIBBEN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the property taxation of the facilities of
2 city=operated cable communications systems and including
3 effective and applicability date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5574SC 80
6 mg/pj/5

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1 1 Section 1. Section 427.1, subsection 2, Code Supplement
1 2 2003, is amended to read as follows:

1 3 2. MUNICIPAL AND MILITARY PROPERTY. The property of a
1 4 county, township, city, school corporation, levee district,
1 5 drainage district, or the Iowa national guard, when devoted to
1 6 public use and not held for pecuniary profit, except ~~property~~
1 7 any of the following:

1 8 a. Property of a municipally owned electric utility held
1 9 under joint ownership and property of an electric power
1 10 facility financed under chapter 28F or 476A that shall be
1 11 subject to taxation under chapter 437A ~~and facilities.~~

1 12 b. Facilities of a municipal utility that are used for the
1 13 provision of local exchange services pursuant to chapter 476,
1 14 but only to the extent such facilities are used to provide
1 15 such services, which shall be subject to taxation under
1 16 chapter 433, except that section 433.11 shall not apply.

1 17 c. Facilities operated by a city as a cable communications
1 18 system pursuant to section 364.3, but only to the extent such
1 19 facilities are used to provide cable communications services,
1 20 which shall be subject to taxation as provided in chapter 441.

1 21 PARAGRAPH DIVIDED. The exemption for property owned by a
1 22 city or county also applies to property which is operated by a
1 23 city or county as a library, art gallery or museum,
1 24 conservatory, botanical garden or display, observatory or
1 25 science museum, or as a location for holding athletic
1 26 contests, sports or entertainment events, expositions,
1 27 meetings or conventions, or leased from the city or county for
1 28 any such purposes, or leased from the city or county by the
1 29 Iowa national guard or by a federal agency for the benefit of
1 30 the Iowa national guard when devoted for public use and not
1 31 for pecuniary profit.

1 32 PARAGRAPH DIVIDED. Food and beverages may be served at the
1 33 events or locations without affecting the exemptions, provided
1 34 the city has approved the serving of food and beverages on the
1 35 property if the property is owned by the city or the county
2 1 has approved the serving of food and beverages on the property
2 2 if the property is owned by the county.

2 3 Sec. 2. EFFECTIVE AND APPLICABILITY DATES. This Act,
2 4 being deemed of immediate importance, takes effect upon
2 5 enactment and applies retroactively to January 1, 2004, for
2 6 assessment years beginning on or after that date.

2 7 EXPLANATION

2 8 This bill provides that facilities of city=operated cable
2 9 communications systems are one of the exceptions to the
2 10 general property tax exemption for city=owned property. Thus
2 11 such cable systems are made subject to property tax under the
2 12 bill.

2 13 The bill takes effect upon enactment and applies
2 14 retroactively to January 1, 2004, for assessment years
2 15 beginning on or after that date.

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